



January 20, 2000

# HOUSE BILL No. 1371

DIGEST OF HB 1371 (Updated January 19, 2000 12:13 PM - DI 22)

**Citations Affected:** IC 20-1; IC 20-3; IC 20-3.1; noncode.

**Synopsis:** Indianapolis public schools. Makes Indianapolis Public Schools (IPS) student standard, improvement, and accountability provisions consistent with those applicable to other school corporations. Reinstates collective bargaining and discussion rights for certificated school employees in IPS with regard to matters that are currently open for bargaining or discussion for school employees in other school systems. Eliminates merit pay provisions for IPS employees. Eliminates IPS specific teacher evaluation provisions and makes IPS teacher evaluations consistent with existing provisions applicable to other school corporations and teachers.

**Effective:** Upon passage; July 1, 2001.

**Porter**

January 11, 2000, read first time and referred to Committee on Education.  
January 19, 2000, reported — Do Pass.

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HB 1371—LS 7241/DI 71+



January 20, 2000

Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

## HOUSE BILL No. 1371

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-1-21-9.5, AS ADDED BY P.L.8-1999,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 9.5. For all schools under IC 20-3.1, the report  
4 must include the following, in addition to the requirements of  
5 IC 20-1-21-9:  
6 (1) Student achievement information as follows:  
7 (A) For each elementary and middle school, grade  
8 advancement rates.  
9 (B) For each high school, the percentage of students who apply  
10 to, are accepted by, and attend a college, university, or other  
11 post-secondary educational institution after high school.  
12 (2) Administrative performance measures as follows:  
13 (A) School receipts and expenditures by source, compared  
14 with budget amounts.  
15 (B) Total school enrollment.  
16 (C) The school's general fund expenditures per student and  
17 total expenditures per student.

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- 1 (D) The amount and percentage of the school's general fund  
 2 expenditures and the amount and percentage of total  
 3 expenditures directly reaching the classroom as determined by  
 4 a formula to be established by the board.  
 5 (E) Teacher/pupil ratios aggregated by class, grade, and  
 6 school.  
 7 (F) Administrator/pupil ratio for the school.  
 8 ~~(G) Teacher attendance rates aggregated by class, grade, and~~  
 9 ~~school.~~  
 10 ~~(3) Achievement on the annual performance objectives identified~~  
 11 ~~under IC 20-3.1-8.~~  
 12 ~~(4) The performance objectives established under IC 20-3.1-8 for~~  
 13 ~~the upcoming school year.~~  
 14 ~~(5) (3) State and school city averages for each of the measures set~~  
 15 ~~forth in subdivisions (1) through (2), if available.~~  
 16 SECTION 2. IC 20-3-11-32 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 32. The general  
 18 school laws of this state and all laws and parts of laws applicable to the  
 19 general system of common schools in school cities, so far as not  
 20 inconsistent with the provisions of this chapter, ~~and IC 20-3.1, and~~  
 21 ~~unless made inapplicable by IC 20-3.1, shall be in full force and effect~~  
 22 ~~in a school city to which this chapter applies.~~  
 23 SECTION 3. IC 20-3.1-2-1.5 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. "Academic standards"**  
 26 **has the meaning set forth in IC 20-10.1-16-1.**  
 27 SECTION 4. IC 20-3.1-3-1 IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The following  
 29 school city conditions and needs are found to exist on January 1, 1995:  
 30 (1) Education in the school city presents unique challenges.  
 31 (2) Student achievement in the school city on statewide tests  
 32 consistently has been significantly below:  
 33 (A) the state average; and  
 34 (B) achievement attained in school corporations adjacent to  
 35 the school city.  
 36 (3) The need for remediation of students in the school city  
 37 consistently has been significantly higher than:  
 38 (A) the state average; and  
 39 (B) remediation levels in school corporations adjacent to the  
 40 school city.  
 41 (4) Graduation rates in the school city consistently have been  
 42 significantly below:



- 1 (A) the state average; and  
 2 (B) graduation rates in school corporations adjacent to the  
 3 school city.  
 4 (5) Student attendance rates in the school city consistently have  
 5 been below:  
 6 (A) the state average; and  
 7 (B) student attendance rates in school corporations adjacent to  
 8 the school city.  
 9 (6) There are individual schools in the school city whose students  
 10 are achieving. However, ~~overall~~ **a degree of** student achievement  
 11 in the school city is unsatisfactory.  
 12 ~~(7) Improving education in the school city requires unique~~  
 13 ~~legislative intervention.~~  
 14 ~~(8) (7) Educator-driven school level control of efforts to improve~~  
 15 ~~student achievement in their schools and a program of~~  
 16 ~~performance awards in accordance with IC 20-10.2 in the school~~  
 17 ~~city will encourage the development and use of:~~  
 18 (A) innovative teaching methods;  
 19 (B) improved opportunities for teacher professional  
 20 development;  
 21 (C) programs achieving greater levels of parental involvement;  
 22 (D) more efficient administrative efforts; and  
 23 (E) improved student achievement.  
 24 ~~(9) (8) Greater accountability among educators in their schools;~~  
 25 ~~including:~~  
 26 ~~(A) evaluations based on student achievement measures and~~  
 27 ~~administrative efficiency criteria; and~~  
 28 ~~(B) annual reports to the public regarding student achievement~~  
 29 ~~information and administrative performance measures;~~  
 30 will encourage the development and use of creative and  
 31 innovative educational methods and improve student  
 32 achievement.  
 33 ~~(10) (9) Providing a range of remediation opportunities to~~  
 34 ~~students in the school city who fail to meet state achievement~~  
 35 ~~standards or who are determined to be at risk of academic failure~~  
 36 ~~by the board will enhance the educational opportunities available~~  
 37 ~~to students and improve student performance.~~  
 38 ~~(11) (10) Enhanced intervention for schools whose students fail~~  
 39 ~~to meet expected performance levels will improve the educational~~  
 40 ~~opportunities and educational achievement in the school city.~~  
 41 ~~(12) (11) Allowing students to attend neighborhood schools and~~  
 42 the development and implementation of a **strategic and**

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1           **continuous improvement and achievement** plan by the board  
 2           **under this article** to increase student performance and  
 3           achievement in the school city are necessary to achieve these  
 4           legislative objectives and to meet the unique challenges to  
 5           education and improve student achievement in the school city.

6           SECTION 5. IC 20-3.1-5-3 IS AMENDED TO READ AS  
 7           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Each school  
 8           shall report to the county office of family and children the names of  
 9           foster parents who have not completed a compact under this chapter.

10           **(b) Each school shall report to the superintendent of the school**  
 11           **city the names of parents who have not completed a compact under**  
 12           **this chapter.**

13           SECTION 6. IC 20-3.1-6-1 IS AMENDED TO READ AS  
 14           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The ~~student~~  
 15           ~~performance measures described in sections 2 through 4 of this chapter~~  
 16           **benchmarks or indicators of performance described in**  
 17           **IC 20-1-21-9** shall be used by the board to ~~(1) assess; (2) report and (3)~~  
 18           ~~improve; on~~ the performance of schools ~~educators; and students~~ in the  
 19           school city.

20           SECTION 7. IC 20-3.1-6-2 IS AMENDED TO READ AS  
 21           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. The board shall  
 22           use ~~state~~ achievement **of academic** standards to identify students in  
 23           need of summer remediation services.

24           SECTION 8. IC 20-3.1-6-5, AS AMENDED BY P.L.8-1999,  
 25           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26           UPON PASSAGE]: Sec. 5. Each school in the school city shall,  
 27           ~~measure and record:~~

28           ~~(1) the school's achievement in reaching the school's performance~~  
 29           ~~objectives established under IC 20-3.1-8;~~

30           ~~(2) student achievement information for the school described in~~  
 31           ~~IC 20-1-21-9 and IC 20-1-21-9.5; and~~

32           ~~(3) teacher and administrative performance information for the~~  
 33           ~~school described in IC 20-1-21-9.5.~~ **through site-based decision**  
 34           **making, develop a three (3) year strategic and continuous**  
 35           **school improvement and achievement plan as set forth in**  
 36           **IC 20-3.1-9.**

37           SECTION 9. IC 20-3.1-7-1 IS AMENDED TO READ AS  
 38           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. ~~(a)~~ The board  
 39           shall develop and implement a plan for the improvement of student  
 40           achievement in the schools within the school city: **the school city's**  
 41           **general objectives, goals, and expectations.**

42           ~~(b)~~ A plan developed and implemented under this chapter must be

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1 consistent with this article.

2 SECTION 10. IC 20-3.1-8-1 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The board shall  
4 establish annual performance school's plan described in  
5 IC 20-3.1-6-5 shall describe objectives for each school including the  
6 following:

7 (1) For students:

8 (A) improvement in scores on statewide assessment tests and  
9 assessment programs; (B) improvement in attendance rates;  
10 and (C) improvement in progress toward graduation.

11 (2) For teachers:

12 (A) improvement in student scores on assessment tests and  
13 assessment programs; (B) improvement in the number and  
14 percentage of students achieving state achievement standards  
15 and, if applicable, performance levels set by the board, on  
16 assessment tests; (C) improvement in student progress toward  
17 graduation; (D) improvement in student attendance rates for  
18 the school year; (E) improvement in individual teacher  
19 attendance rates; (F) improvement in communication with  
20 parents and parental involvement in classroom and  
21 extracurricular activities; and (G) other objectives developed  
22 by the board.

23 (3) For the school and the school administrators:

24 (A) improvement in student scores on assessment tests;  
25 aggregated by class and grade; (B) improvement in the number  
26 and percentage of students achieving state achievement  
27 standards and, if applicable, performance levels set by the  
28 board, on assessment tests, aggregated by class and grade; (C)  
29 improvement in student graduation rates and in progress  
30 toward graduation; (D) improvement in student attendance  
31 rates; (E) management of general fund expenditures per  
32 student and total expenditures per student; (F) improvement in  
33 teacher attendance rates; and (G) other objectives developed  
34 by the board: for a three (3) year period. The plan must be  
35 reviewed annually and may be revised to accomplish the  
36 achievement objectives of the school.

37 SECTION 11. IC 20-3.1-8-2 IS ADDED TO THE INDIANA CODE  
38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
39 UPON PASSAGE]: Sec. 2. The achievement objectives must be  
40 consistent with academic standards and include improvement in at  
41 least the following areas:

42 (1) Attendance rate.

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1           (2) The percentage of students meeting academic standards  
2           under the ISTEP program (IC 20-10.1-16).

3           (3) For a secondary school, graduation rate.

4           SECTION 12. IC 20-3.1-8-3 IS ADDED TO THE INDIANA CODE  
5           AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
6           UPON PASSAGE]: **Sec. 3. The plan must specify how and to what  
7           extent the school expects to make continuous improvement in all  
8           areas of the education system where results are measured by  
9           setting benchmarks for progress on an individual school basis.**

10          SECTION 13. IC 20-3.1-8-4 IS ADDED TO THE INDIANA CODE  
11          AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
12          UPON PASSAGE]: **Sec. 4. The plan must note specific areas where  
13          improvement is needed immediately.**

14          SECTION 14. IC 20-3.1-8-5 IS ADDED TO THE INDIANA CODE  
15          AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
16          UPON PASSAGE]: **Sec. 5. (a) A plan may include a request for a  
17          waiver of applicability of a rule or statute to a school.**

18          **(b) The board may waive any rule adopted by the state board  
19          for which a waiver is requested in a plan, except for a rule that is  
20          characterized as follows:**

21               (1) The rule relates to the health or safety of students or  
22               school personnel.

23               (2) The rule is a special education rule under 511 IAC 7.

24               (3) Suspension of the rule brings the school into  
25               noncompliance with federal statutes or regulations.

26               (4) The rule concerns curriculum or textbooks.

27          **(c) Upon request of the board and pursuant to a plan, the state  
28          board may waive for a school or a school corporation any statute  
29          or rule relating to the following:**

30               (1) Curriculum.

31               (2) Textbook selection.

32          SECTION 15. IC 20-3.1-9-1 IS AMENDED TO READ AS  
33          FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1. (a) In addition  
34          to the requirements for the plan set forth in IC 20-3.1-8, the plan  
35          developed and implemented by the board under IC 20-3.1-7 must  
36          contain general guidelines for decisions by the educators in each school  
37          to improve student achievement in the school: the following  
38          components for the school:**

39               (1) A list of the rules that the school wishes to have suspended  
40               from operation for the school, as permitted in IC 20-3.1-8-5.

41               (2) A description of the curriculum and information  
42               concerning the location of a copy of the curriculum that is

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1 available for inspection by members of the public.

2 (3) A description and name of the assessments that will be  
3 used in the school in addition to ISTEP assessments.

4 (4) A plan to be submitted to the board and made available to  
5 all interested members of the public in an easily understood  
6 format.

7 (5) A provision to maximize parental participation in the  
8 school.

9 (6) For a secondary school, a provision to do the following:

10 (A) Offer courses that allow all students to become eligible  
11 to receive an academic honors diploma.

12 (B) Encourage all students to earn an academic honors  
13 diploma or complete the Core 40 curriculum.

14 (7) A provision to maintain a safe and disciplined learning  
15 environment for students and educators.

16 (8) A provision for the coordination of technology initiatives  
17 and ongoing professional development activities.

18 (9) A professional development program as described in  
19 IC 20-1-1-6.5 that complies with IC 20-1-1-6.3.

20 (b) If, for a purpose other than a plan under this chapter, a  
21 school has developed materials that are substantially similar to a  
22 component listed in subsection (a), the school may substitute those  
23 materials for the component listed in subsection (a).

24 (b) The board's plan shall provide for the publication to other  
25 schools within the school city and to the general community those  
26 processes, innovations, and approaches that have led individual schools  
27 to significant improvement in student achievement.

28 SECTION 16. IC 20-3.1-9-2 IS AMENDED TO READ AS  
29 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Educators in  
30 each school are responsible for improving student achievement in the  
31 school and may **shall** develop the educators' own school plan to  
32 achieve **continuous** improvement **and achievement** that ~~(1) conforms~~  
33 **adheres** to the ~~guidelines~~ **general objectives, goals, and expectations**  
34 issued by the board. ~~and~~

35 ~~(2) has a cost that does not exceed the amount allocated to the~~  
36 ~~school under section 5 of this chapter.~~

37 (b) Educators may use traditional or innovative techniques that the  
38 educators believe will best maintain a secure and supportive  
39 educational environment and improve student achievement.

40 SECTION 17. IC 20-3.1-9-2.1 IS ADDED TO THE INDIANA  
41 CODE AS A NEW SECTION TO READ AS FOLLOWS  
42 [EFFECTIVE UPON PASSAGE]: **Sec. 2.1. (a) The plan must be**

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1 developed by a school committee through a school based decision  
2 making process.

3 (b) The school committee described in subsection (a) must be  
4 comprised of an equal number of teachers and other interested  
5 parties. Teacher appointments to the committee must be made in  
6 accordance with IC 20-7.5-1. The principal shall appoint the other  
7 interested parties to the committee.

8 SECTION 18. IC 20-3.1-9-2.2 IS ADDED TO THE INDIANA  
9 CODE AS A NEW SECTION TO READ AS FOLLOWS  
10 [EFFECTIVE UPON PASSAGE]: Sec. 2.2. (a) The committee  
11 described in section 2.1 of this chapter must submit a school's  
12 initial plan to the superintendent by March 1 of the school year  
13 before the year of implementation. The superintendent:

14 (1) shall review the plan to ensure that the plan is consistent  
15 with the school corporation's objectives, goals, and  
16 expectations;

17 (2) may make written recommendations of modifications to  
18 the plan to ensure consistency with the school corporation's  
19 objectives, goals, and expectations; and

20 (3) shall return the plan and any recommendations to the  
21 school committee by April 1 of the school year before the year  
22 of implementation.

23 (b) A school committee may modify the plan to comply with  
24 recommendations made by the superintendent under subsection  
25 (a).

26 (c) A school committee shall submit:

27 (1) the plan; and

28 (2) the written recommendations of the superintendent;

29 to the governing body by May 1 of the school year before the year  
30 of implementation.

31 (d) An initial plan must be established by June 1 of the school  
32 year before the year of implementation. A plan is established upon  
33 approval of the board. The board shall approve a plan for each  
34 school in the school corporation in accordance with this article and  
35 IC 20-1-1-6.3. When a plan is presented to the board, the board  
36 must either accept or reject the plan and may not revise the plan.  
37 A plan is established when written evidence of approval is attached  
38 to the plan.

39 SECTION 19. IC 20-3.1-9-6 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Under the  
41 plan, each school's educators may:

42 (1) determine the educational resources, goods, and services that

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- 1 are necessary and appropriate for improving student performance  
 2 in the school; and  
 3 (2) obtain or purchase the educational resources, goods, and  
 4 services.  
 5 (b) Purchases and acquisitions under this section are subject to:  
 6 (1) the general guidelines developed by the board; and  
 7 (2) the school's budget.

8 SECTION 20. IC 20-3.1-9-7 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. Subject to the  
 10 ~~general guidelines developed by~~ **objectives, goals, and expectations**  
 11 **of** the board and after consulting with the school's teachers, each  
 12 school's administrators may determine the:

- 13 (1) sources of; and  
 14 (2) portion of;  
 15 the school's available budget allocated for noneducational goods and  
 16 services.

17 SECTION 21. IC 20-3.1-9-8 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) If, as a result  
 19 of a school's efforts to incur less expense than was budgeted in a fiscal  
 20 year, the school has excess general fund money after the school's  
 21 expenses for the fiscal year are paid in full, the school retains control  
 22 of the excess.

23 (b) The school shall use excess general fund money retained under  
 24 this section during the following school year for:

- 25 (1) professional development of the school's educators; and  
 26 (2) other classroom instructional purposes;  
 27 **under the general guidelines developed by the board as provided in**  
 28 **the plan.**

29 (c) The board may not consider a school's excess general fund  
 30 money retained under this section when setting or approving the  
 31 school's budget for subsequent years.

32 SECTION 22. IC 20-3.1-11-1 IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. IC 20-6.1-9 ~~does~~  
 34 ~~not apply~~ **applies** to a school city.

35 SECTION 23. IC 20-3.1-11-3 IS AMENDED TO READ AS  
 36 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) A staff  
 37 performance evaluation plan must: ~~do~~

- 38 (1) **provide for the improvement of the performance of the**  
 39 **individuals evaluated;**  
 40 (2) **provide for the growth and development of the individuals**  
 41 **evaluated;**  
 42 (3) **require periodic assessment of the effectiveness of the**

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- 1           **plan;**
- 2           **(4) provide that nonpermanent and semipermanent teachers**
- 3           **receive:**
- 4               **(A) an evaluation on or before December 31 each year; and**
- 5               **(B) if requested by the teacher, an additional evaluation on**
- 6               **or before March 1 of the following year; and**
- 7           **(5) comply with IC 20-6.1-9.**
- 8           **(b) In addition to the requirements of subsection (a), the staff**
- 9           **performance evaluation must comply with the following:**
- 10           (1) **The plan must** provide for evaluation of each employee's
- 11           performance based upon the following:
- 12               (A) For teachers,
- 13                   (i) **the development and maintenance of parental**
- 14                   **involvement in classroom and extracurricular activities;**
- 15                   (ii) **student achievement on assessment tests and assessment**
- 16                   **programs; and**
- 17                   (iii) **the teacher's attendance rates.**
- 18               **criteria identified through the procedures set forth in**
- 19               **IC 20-7.5-1-4 and IC 20-7.5-1-5.**
- 20               (B) For administrators:
- 21                   (i) student attendance rates;
- 22                   (ii) graduation rates;
- 23                   (iii) the number of teachers for each student at the school;
- 24                   (iv) the number of certified administrators for each student
- 25                   at the school; **and**
- 26                   (v) classroom expenditures per student as determined by a
- 27                   formula to be established by the board. **and**
- 28                   (vi) **scholastic aptitude test scores.**
- 29               ~~(C) Other objective standards developed by the board for~~
- 30               ~~measuring student, teacher, and administrator performance.~~
- 31               (2) **The plan may not** provide for the continuing professional
- 32               development and improvement of the performance of the
- 33               individuals evaluated: **an evaluation that is based in whole or**
- 34               **in part on the ISTEP test scores or the Scholastic Aptitude**
- 35               **Test scores of the students in the school corporation.**
- 36               (3) ~~Require periodic assessment of the effectiveness of the plan.~~
- 37               (4) ~~Provide that teachers receive an evaluation twice during each~~
- 38               ~~school year.~~
- 39           SECTION 24. IC 20-3.1-11-6 IS AMENDED TO READ AS
- 40           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. Each staff
- 41           performance evaluation plan must:
- 42               (1) ~~comply with guidelines be consistent with the objectives,~~

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1           **goals, and expectations** established by ~~and the board;~~  
 2           (2) be approved by the board; **and**  
 3           **(3) as it relates to certificated employees under IC 20-7.5, be**  
 4           **established under the procedures set forth in IC 20-7.5-1-4**  
 5           **and IC 20-7.5-1-5.**

6           SECTION 25. IC 20-3.1-12.1 IS ADDED TO THE INDIANA  
 7 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2001]:

9           **Chapter 12.1. Education Achievement Grants for the School**  
 10 **City**

11           **Sec. 1. The school city is entitled to participate in the student**  
 12 **educational achievement grant program set forth in IC 20-10.2-4.**

13           SECTION 26. IC 20-3.1-13-1 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The school  
 15 city must provide summer remediation services to each student in a  
 16 designated grade level who does not meet ~~state achievement academic~~  
 17 standards.

18           (b) The school city may provide summer remediation services to  
 19 students of any other grade level who are determined by the school city  
 20 to be at risk of academic failure.

21           SECTION 27. IC 20-3.1-13-2 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. The board may:

23           (1) request and receive competitive proposals from:

24           (A) a school of the school city; **or**

25           ~~(B)~~ **another public educational institution; or**

26           ~~(C)~~ **(B)** a group of educators from the school city;

27           to provide summer remediation services under guidelines and  
 28 specified performance standards established by the **state** board;  
 29 and

30           (2) contract with one (1) or more providers listed in subdivision

31           (1) to provide summer remediation services to students in the  
 32 school city.

33           SECTION 28. IC 20-3.1-13-4 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. ~~(a)~~ Summer  
 35 remediation services provided by contractors under section 2 of this  
 36 chapter shall be at no tuition cost to the student.

37           ~~(b)~~ **Upon the request of the parent of a student described in section**  
 38 **1 of this chapter, the school city shall provide the parent with a summer**  
 39 **remediation subsidy in an amount equal to fifty percent (50%) of the**  
 40 **lowest per student cost of summer remediation services provided by a**  
 41 **contractor under section 2 of this chapter.**

42           ~~(c)~~ **A parent to whom a summer remediation subsidy is provided**



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1 may use the subsidy to purchase summer remediation services from a  
 2 provider located within Marion County. The parent may choose to use  
 3 the remediation subsidy at an accredited public school. If the amount  
 4 of tuition for the remediation services is greater than the amount of the  
 5 remediation subsidy provided to the parent, the parent is responsible  
 6 for the additional amount.

7 (d) The allocated remediation subsidy is payable to a provider of  
 8 remediation services upon the provider's enrollment of the student in  
 9 the remediation program.

10 (e) Payment of a remediation subsidy fulfills the obligation under  
 11 this chapter of the school city to provide remediation services to a  
 12 student.

13 (f) If a student who has received a remediation subsidy does not  
 14 complete a remediation program, the provider of remediation services  
 15 shall make a refund of the remediation subsidy on a pro rata basis to  
 16 the school city.

17 SECTION 29. IC 20-3.1-14.1 IS ADDED TO THE INDIANA  
 18 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
 19 [EFFECTIVE UPON PASSAGE]:

20 **Chapter 14.1. Assessing Improvement; Accountability Measures**

21 **Sec. 1. For purposes of assessing a school's improvement,**  
 22 **IC 20-10.2-5 applies to the school city.**

23 **Sec. 2. For purposes of instilling accountability, the**  
 24 **consequences set forth in IC 20-10.2-6 apply to schools within the**  
 25 **school city.**

26 SECTION 30. IC 20-3.1-15-1 IS AMENDED TO READ AS  
 27 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. To provide the  
 28 board with the necessary flexibility and resources to carry out this  
 29 article, the following apply:

30 (1) The board may eliminate or modify existing policies and  
 31 create new policies, and alter policies from time to time, subject  
 32 to this article and the plan developed under IC 20-3.1-7.

33 (2) IC 20-7.5 does not apply to matters set forth in this article.  
 34 The matters set forth in this article may not be the subject of  
 35 collective bargaining or discussion under IC 20-7.5.

36 (3) An exclusive representative certified under IC 20-7.5 to  
 37 represent certified employees of the school city, or any other  
 38 entity voluntarily recognized by the board as a representative of  
 39 employees providing educational services in the schools, may  
 40 bargain collectively only concerning salary, wages, and salary and  
 41 wage related fringe benefits. The exclusive representative may not  
 42 bargain collectively or discuss performance awards under



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~~IC 20-3.1-12.~~

(+) (1) The board of school commissioners may waive the following statutes and rules for any school in the school city without the need for administrative, regulatory, or legislative approval:

(A) The following rules concerning curriculum and instructional time:

- 511 IAC 6.1-3-4
- 511 IAC 6.1-5-0.5
- 511 IAC 6.1-5-1
- 511 IAC 6.1-5-2.5
- 511 IAC 6.1-5-3.5
- 511 IAC 6.1-5-4

(B) The following rules concerning pupil/teacher ratios:

- 511 IAC 6-2-1(b)(2)
- 511 IAC 6.1-4-1

(C) The following statutes and rules concerning textbooks, and rules adopted under the statutes:

- IC 20-10.1-9-1
- IC 20-10.1-9-18
- IC 20-10.1-9-21
- IC 20-10.1-9-23
- IC 20-10.1-9-27
- IC 20-10.1-10-1
- IC 20-10.1-10-2
- 511 IAC 6.1-5-5

(D) The following rules concerning school principals:

- 511 IAC 6-2-1(c)(4)
- 511 IAC 6.1-4-2

(E) 511 IAC 2-2, concerning school construction and remodeling.

(+) (2) Notwithstanding any other law, a school city may do the following:

(A) Lease school transportation equipment to others for nonschool use when the equipment is not in use for a school city purpose.

(B) Establish a professional development and technology fund to be used for:

- (i) professional development; or
- (ii) technology, including video distance learning.

(C) Transfer funds obtained from sources other than state or local government taxation among any account of the school

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1 corporation, including a professional development and  
2 technology fund established under clause (B).

3 ~~(6)~~ **(3) A school city may** transfer funds obtained from property  
4 taxation among the general fund (established under IC 21-2-11)  
5 and the school transportation fund (established under  
6 IC 21-2-11.5), subject to the following:

7 (A) The sum of the property tax rates for the general fund and  
8 the school transportation fund after a transfer occurs under this  
9 subdivision may not exceed the sum of the property tax rates  
10 for the general fund and the school transportation fund before  
11 a transfer occurs under this clause.

12 (B) This clause does not allow a school corporation to transfer  
13 to any other fund money from the debt service fund  
14 (established under IC 21-2-4).

15 SECTION 31. THE FOLLOWING ARE REPEALED [EFFECTIVE  
16 UPON PASSAGE]: IC 20-3.1-2-4; IC 20-3.1-2-5; IC 20-3.1-2-10;  
17 IC 20-3.1-2-15; IC 20-3.1-2-16; IC 20-3.1-2-20; IC 20-3.1-2-25;  
18 IC 20-3.1-6-3; IC 20-3.1-6-4; IC 20-3.1-7-2; IC 20-3.1-7-3;  
19 IC 20-3.1-7-4; IC 20-3.1-7-5; IC 20-3.1-9-3; IC 20-3.1-9-4;  
20 IC 20-3.1-12; IC 20-3.1-14.

21 SECTION 32. [EFFECTIVE UPON PASSAGE] (a)  
22 **Notwithstanding any other law, the subjects that were included in**  
23 **the written agreement existing on August 31, 1994, between the**  
24 **board of school commissioners of the city of Indianapolis and the**  
25 **exclusive representative (entitled "Agreement between the Board**  
26 **of School Commissioners of the City of Indianapolis and the**  
27 **Indianapolis Education Association, 1991-1994") are restored as**  
28 **subjects of bargaining beginning on the earlier of the following:**

29 (1) The effective date of this act.

30 (2) March 15, 2000.

31 (b) This SECTION expires July 1, 2000.

32 SECTION 33. [EFFECTIVE UPON PASSAGE] (a) **After the**  
33 **effective date of this act and before the implementation of the plan**  
34 **for the continuous school improvement and achievement that is**  
35 **established under IC 20-3.1-9, as amended by this act, a school**  
36 **employer who is subject to IC 20-3.1, as amended by this act:**

37 (1) **may not cancel the contract of a school employee for any**  
38 **reason other than a reason set forth in IC 20-6.1-4-10 or**  
39 **IC 20-6.1-4-10.5; and**

40 (2) **is subject to IC 20-6.1-4-11 when canceling the contract of**  
41 **a school employee.**

42 (b) This SECTION expires July 1, 2003.

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1        **SECTION 34. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1371, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

CHENEY, Chair

Committee Vote: yeas 8, nays 5.

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